

Attorney's Docket No. 5573-123DV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Whittle et al.
Serial No.: To Be Assigned
Filed: Concurrently Herewith
For: *FT-RAMAN SPECTROSCOPIC MEASUREMENT*

Date: August 28, 2003

Mail Stop PATENT APPLICATION
Commissioner for Patents
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Sir:

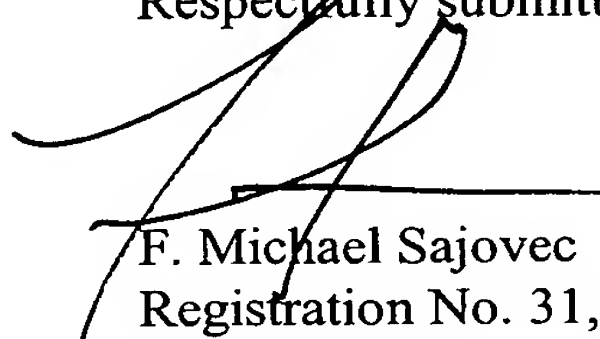
Attached is a copy of three form(s) PTO-1449 as filed in parent application serial number 09/649,447, with the application serial number and filing date of the parent application struck through and the application serial number and filing date of the above-referenced application written in. In addition, a form PTO 1449 is attached with a list of references cited by the Examiner on form PTO 892 in the prosecution of the parent application.

A copy of each of the references above has been submitted to, or cited by, the Examiner in the parent application and is not provided herewith.

It is requested that all of these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. §1.56 and Section 609 of the MPEP.

No fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,


F. Michael Sajovec
Registration No. 31,793

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Clara R. Beard

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)				Attorney Docket Number 5573-123		Serial No. 09/649,447 To Be Assigned	
				Applicants: Whittle et al.			
				Filing Date Concurrently August 25, 2000 Herewith		Group 1743	
U. S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	A1	5,652,653	07/29/97	Alsmeyer et al.	356	301	
	A2	5,850,623	12/15/98	Carman, Jr. et al.	702	28	
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation Yes No
	B1	0005129 A1	04/03/79	EPO	C07D	403/12	X
	B2	0818674 A2	01/14/98	EPO	G01N	21/65	X
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	C1	Tensmeyer et al.; "Analytical Applications of Raman Spectroscopy in the Pharmaceutical Field," <i>Trends in Analytical Chemistry</i> 8:1 19-24 (January 1989).					
	C2	International Search Report, PCT/US 00/ 23368, Date of Mailing: January 2, 2001.					

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Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U. S. PATENT DOCUMENTS (Cont'd)							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	26.	5,070,101	12/03/91	Kaminski	514	399	
	27.	5,075,323	12/24/91	Fain et al.	514	338	
	28.	5,093,132	03/03/92	Makino et al.	424	475	
	29.	5,093,342	03/03/92	Tomoi et al.	514	328	
	30.	5,096,893	03/17/92	Pitha et al.	514	58	
	31.	5,106,863	04/21/92	Hajos et al.	514	395	
	32.	5,124,158	06/23/92	Ruwart et al.	424	449	
	33.	5,178,867	01/12/93	Guittard et al.	424	473	
	34.	5,196,205	03/23/93	Borody	424	653	
	35.	5,204,118	04/20/93	Goldman et al.	424	489	
	36.	5,206,025	04/27/93	Courteille et al.	424	439	
	37.	5,219,870	06/15/93	Kim	514	338	
	38.	5,232,706	08/03/93	Palomo Coll	424	475	
	39.	5,244,670	09/14/93	Upson et al.	424	439	
	40.	5,246,714	09/21/93	Dahlinder et al.	424	497	
	41.	5,288,506	02/22/94	Spickett et al.	424	498	
	42.	5,294,439	03/15/94	Yamasaka et al.	424	78.01	
	43.	5,294,629	03/15/94	Machinami et al.	514	366	
	44.	5,304,540	04/19/94	Blackburn et al.	514	2	
	45.	5,352,688	10/04/94	Kaminski	514	357	
	46.	5,362,424	11/08/94	Lee et al.	264	4.3	
	47.	5,374,730	12/20/94	Slemon et al.	546	271	
	48.	5,385,739	01/31/95	Debregeas et al.	424	494	
	49.	5,386,032	01/31/95	Brändström	546	271	
	50.	5,391,752	02/21/95	Hoerner et al.	546	271	

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	76.	5,651,987	07/29/97	Fuisz	424	488	
	77.	5,656,286	08/12/97	Miranda et al.	424	449	
	78.	5,665,730	09/09/97	Senn-Bilfinger et al.	514	300	
	79.	5,684,580	11/04/97	Cooper et al.	356	301	
	80.	5,686,588	11/11/97	Yoo	536	13.3	
	81.	5,693,818	12/02/97	Von Unge	546	273.7	
	82.	5,710,156	01/20/98	Heeres et al.	514	255	
	83.	5,712,165	01/27/98	Alvarez et al.	436	21	
	84.	5,714,504	02/03/98	Lindberg et al.	514	338	
	85.	5,719,161	02/17/98	Rainer	514	301	
	86.	5,728,700	03/17/98	Heeres et al.	514	252	
	87.	5,731,002	03/24/98	Olovson et al.	424	484	
	88.	5,751,415	05/12/98	Smith et al.	356	301	
	89.	5,753,630	05/19/98	Zopf et al.	514	25	
	90.	5,766,622	06/16/98	Nelson	424	440	
	91.	5,776,765	07/07/98	Graham et al.	435	280	
	92.	5,811,426	09/22/98	Heeres et al.	514	252	
	93.	5,811,547	09/22/98	Nakamichi et al.	540	589	
	94.	5,817,338	10/06/98	Bergstrand et al.	424	468	
	95.	5,840,552	11/24/98	Holt et al.	435	118	
	96.	5,846,562	12/08/98	Yanai et al.	424	451	
	97.	5,859,030	01/12/99	Kohl et al.	514	338	
	98.	5,877,192	03/02/99	Lindberg et al.	514	338	
	99.	5,912,179	06/15/99	Alvarez et al.	436	63	

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FOREIGN PATENT DOCUMENTS (Cont'd.)							
		Document Number	Date	Country	Class	Subclass	Translation Yes No
	123.	WO 94/27988	12/08/94	WIPO	C07D	401/12	X
	124.	WO 95/01783	01/19/95	WIPO	A61K	9/24	X
	125.	WO 95/01977	01/19/95	WIPO	C07D	401/12	X
	126.	WO 95/18612	07/13/95	WIPO	A61K	31/44	X
	127.	WO 95/32957	12/07/95	WIPO	C07D	401/12	X
	128.	WO96/01622	01/25/96	WIPO	A61K	9/24	X
	129.	WO 96/01623	01/25/96	WIPO	A61K	9/26	X
	130.	WO 96/02535	02/01/97	WIPO	C07D	401/12	X
	131.	WO 97/20851	06/12/97	WIPO	C07F	7/08	X
	132.	WO 97/25030	07/17/97	WIPO	A61K	9/46	X
	133.	WO 98/19668	05/14/98	WIPO	A61K	9/50	X
	134.	WO 98/53803	12/03/98	WIPO	A61K	9/28	X
	135.	WO 98/54171	12/03/98	WIPO	C07D	401/12	X
	136.	WO 99/08500	02/25/99	WIPO	NONE		X
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	137.	U.S. Patent Application No. 09/519,976 to Whittle et al. entitled <i>Alkoxy Substituted Benzimidazole Compounds, Pharmaceutical Preparations Containing the Same, and Methods of Using the Same</i> ; filed March 7, 2000.					
	138.	U.S. Patent Application No. 09/629,587 to Whittle et al. entitled <i>Pharmaceutical Formulations</i> ; filed July 31, 2000.					
	139.	U.S. Patent Application No. 09/630,022 to Whittle et al. entitled <i>Pharmaceutical Unit Dosage Form</i> ; filed July 31, 2000.					
	140.	U.S. Patent Application No. 09/628,840 to Whittle et al. entitled <i>Method of Improving Bioavailability</i> ; filed July 31, 2000.					
	141.	U.S. Patent Application No. 09/629,634 to Whittle et al. entitled <i>Pharmaceutical Unit Dosage Form</i> ; filed July 31, 2000.					
	142.	"The Mechanism of Action of the Gastric Acid Secretion Inhibitor Omeprazole," <i>Journal of Medicinal Chemistry</i> 29:8 1327-1329 (1986).					

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	157.	Maier et al.; "Diphenylethanediamine (DPEDA) Derivatives as Chiral Selectors: IV. A Comparison of 3,5-Dinitrobenzoylated (S,S)- and (S,R)-DPEDA-Derived Chiral Stationary Phases with Pirkle's Standard (R)-Phenylglycine-Derived Phase in Normal Phase HPLC," <i>Chirality</i> 6:116-128 (1994).	
	158.	Marle et al.; "Separation of enantiomers using cellulase (CBH I) silica as a chiral stationary phase," <i>Journal of Chromatography</i> 582:233-248 (1991).	
	159.	Marle et al.; "Chiral stationary phases based on intact and fragmented cellobiohydrolase I immobilized on silica," <i>Journal of Chromatography</i> 648:333-347 (1993).	
	160.	Matysik et al.; "Raman spectroscopic analysis of isomers of biliverdin dimethyl ester," <i>J Pharm Biomed Anal</i> 15:9-10 1319-1324 (June 1997).	
	161.	Ohishi et al.; "Structure of 5-Methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole (Omeprazole)," <i>Acta Cryst. C</i> 45:1921-1923 (1989).	
	162.	Rudiger et al.; "Reconstitution of bacteriorhodopsin from apoprotein and retinal studied by Fourier-transform infrared spectroscopy," <i>Biochemistry</i> 36:16 4867-4874 (April 22, 1997).	
	163.	Rudolph et al.; "Phase characteristics of positional isomers of 1,2-di(heptacosadiynoyl)-sn-glycero-3-phosphocholine; tubule-forming phosphatidylcholines," <i>Biochim Biophys Acta</i> 943:3 454-462 (September 1, 1988).	
	164.	Sachs et al.; "Gastric H,K-ATPase as Therapeutic Target," <i>Ann. Rev. Pharmacol. Toxicol.</i> 28:269-284 (1988).	
	165.	Uray et al.; "Diphenylethanediamine derivatives as chiral selectors VIII. Influence of the second amido function on the high-performance liquid chromatographic enantioseparation characteristics of (N-3,5-dinitrobenzoyl)-diphenylethanediamine based chiral stationary phases," <i>Journal of Chromatography A</i> 799:1+2 67-81 (March 1998)	
	166.	von Unge et al.; "Stereochemical assignment of the enantiomers of omeprazole from X-ray analysis of a fenchyloxymethyl derivative of (+)-(R)-omeprazole," <i>Tetrahedron: Asymmetry</i> 8:12 1967-1970 (1997).	

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